

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA §
McCOLLUM, individually, and STEPHANIE §
KINGREY, individually and as independent §
administrator of the Estate of LARRY GENE §
McCOLLUM, §
PLAINTIFFS §
§
v. § CIVIL ACTION NO.
§ 4:14-cv-3253
§ JURY DEMAND
BRAD LIVINGSTON, JEFF PRINGLE, §
RICHARD CLARK, KAREN TATE, §
SANDREA SANDERS, ROBERT EASON, the §
UNIVERSITY OF TEXAS MEDICAL §
BRANCH and the TEXAS DEPARTMENT OF §
CRIMINAL JUSTICE. §
DEFENDANTS §

Plaintiffs' Consolidated Summary Judgment Response Appendix

EXHIBIT 99

*** REQUESTOR: LLI2315 - LINTHICUM, LANETTE, HEALTH SERVICES ***

*** S Y S M I N B A S K E T P R I N T ***

MESSAGE ID: 413114C DATE: 04/27/07 TIME: 08:45am PRIORITY: 000

TO: LLI2315 - LINTHICUM, LANETTE, M.D.
DIVISION DIRECTOR
HEALTH SERVICES
HUNTSVILLE/OLD WAL-MART BLDG.

FROM: SSC5041 - SCHUMACHER, SUSAN
PROGRAM SPECIALIST I
PLANS AND OPERATIONS
861-B, I-45 NORTH, RM. 220
HUNTSVILLE, TX. 77342

SUBJECT: SUMMER HEAT PRECAUTIONS 2007

IT IS THAT TIME OF YEAR WHEN EMPLOYEES AND OFFENDERS WILL BE AFFECTED BY EXTREME HEAT CONDITIONS. AS A REMINDER, DUE TO THE POTENTIAL FOR EXTREME HEAT CONDITIONS IN THE COMING MONTHS, IT IS IMPERATIVE THAT EVERYONE TAKE PRECAUTIONS TO HELP REDUCE HEAT-RELATED ILLNESSES.

ADMINISTRATIVE DIRECTIVE 10.64, "TEMPERATURE EXTREMES IN THE TDCJ WORK PLACE", AND HEALTH SERVICES POLICY B15.2, "HEAT STRESS" SHOULD BE REVIEWED BY STAFF FOR GENERAL AWARENESS. UNIT TRAINING SHOULD BE COMPLETED BY JUNE 1, 2007. IT IS VERY IMPORTANT TO ENSURE ALL TRAINING HAS BEEN DOCUMENTED IN THE EMPLOYEES FILE. POCKET CARDS WITH TIPS FOR RECOGNITION, TREATMENT AND PREVENTION OF HEAT RELATED ILLNESSES ARE AVAILABLE FOR UNITS TO ORDER FROM THE PRISON STORE. WARDENS NEED TO ENSURE ALL CORRECTIONAL EMPLOYEES ARE PROVIDED WITH OR CURRENTLY HAVE POCKET CARDS. (PRISON STORE STOCK # 700-01-060-527)

ON APRIL 25, 2007, STAFF FROM VARIOUS DEPARTMENTS (OFFENDER TRANSPORTATION, HEALTH SERVICES, RISK MANAGEMENT, LAUNDRY AND FOOD SERVICE, ENVIRONMENTAL, PLANS AND OPERATIONS) MET TO REVIEW AND DISCUSS ISSUES REGARDING PRECAUTIONS AND ACTIONS TAKEN LAST SUMMER AND TO DISCUSS ACTIONS FOR THE UPCOMING SUMMER. FOLLOWING YOU WILL FIND A LIST OF PRECAUTIONS/ACTIONS TO BE IMPLEMENTED STARTING JUNE 1, 2007 AND ENDING OCTOBER 1, 2007. IF THE NEED ARISES, IMPLEMENTATION MAY BEGIN PRIOR TO JUNE 1, 2007.

* ENSURE EMPLOYEES AND OFFENDERS ARE AWARE OF THE SIGNS AND TREATMENT FOR HEAT RELATED ILLNESSES BY CONDUCTING TRAINING.
* PROVIDE ADDITIONAL WATER. ICE SHOULD BE PROVIDED IF AVAILABLE TO

EMPLOYEES AND OFFENDERS IN THE WORK AND HOUSING AREAS.

- * RESTRICT OUTSIDE ACTIVITY (WORK HOURS) IN ACCORDANCE WITH AD-10.64
- (C) ENSURE ALL STAFF AND OFFENDERS WORKING IN AREAS OF EXTREME HEAT (I.E. FIELD, MAINTENANCE, YARD SQUADS) ARE PROVIDED FREQUENT WATER BREAKS.
- * REFRAIN FROM TRANSPORTING PSYCHIATRIC INPATIENT OFFENDERS TO ANOTHER FACILITY VIA CHAIN BUS.
- * TRANSPORT OFFENDERS DURING THE COOLEST HOURS OF THE DAY
- * SCREEN OUTGOING CHAIN TO ENSURE THAT THE SELECTED MODE OF TRANSPORTATION IS APPROPRIATE.
- * ALLOW OFFENDERS TO TAKE FANS WHEN BEING TRANSPORTED OFF THE UNIT FOR A MEDICAL APPOINTMENT.
- * UTILIZE INFOFAC REPORT (IMS042) LISTING OFFENDERS WITH HEAT SENSITIVE MEDICAL RESTRICTIONS (INCLUDING BUT NOT LIMITED TO OFFENDERS ON PSYCHOTROPIC MEDICATIONS).
- * LOAD AND UNLOAD TRANSFER VEHICLES AS QUICKLY AS POSSIBLE. (SECURITY) AT EVERY BACKGATE IS THE FIRST PRIORITY, BUT WE MUST ALWAYS BE AWARE OF HEAT RELATED ISSUES WHEN BUSES OCCUPIED BY OFFENDERS SIT FOR ANY LENGTH OF TIME. EVERY REASONABLE EFFORT SHOULD BE MADE TO ENSURE BUSES GET IN AND OUT OF THE BACKGATE IN A SAFE AND EXPEDIENT MANNER).
- * TRANSFER VEHICLES PARKED FOR MORE THAN 15 MINUTES ARE REQUIRED TO PLACE A FAN, PREVIOUSLY PURCHASED, ON THE VEHICLE. UNITS SHOULD ENSURE THAT FANS, EXTENSIONS CORDS, ETC. ARE IN PLACE AND AVAILABLE WHEN NEEDED.
- * STORE PAPER TOWELS FOR TRANSPORTATION VEHICLES TO BE WET DOWN TO UTILIZE IN EMERGENCIES (TRANSPORTATION).
- * (C) WATER COOLERS ON BUSES SHOULD BE REFILLED AT VARIOUS TIMES DURING THE DAY TO MAINTAIN WATER AT THE APPROPRIATE TEMPERATURE.U (TRANSPORTATION)
- * WHEN UTILIZING FANS, AIR SHOULD BE DRAWN THROUGH THE STRUCTURE AND EXHAUSTED OUTSIDE. TAKE FULL ADVANTAGE OF THE FRESH AIR EXCHANGE SYSTEM AND/OR PREVAILING WINDS TO ASSIST IN THE MOVEMENT OF AIR AS APPLICABLE.
- * INCREASE AIRFLOW BY UTILIZING BLOWERS, WHEN AND IF APPROPRIATE, NORMALLY USED TO MOVE HOT AIR IN THE WINTER. ATTACH RIBBONS TO VENTS TO ASSURE BLOWERS ARE BEING USED APPROPRIATELY. ASSURE ALL MAINTENANCE TO BLOWERS HAS BEEN COMPLETED.
- * ALLOW ADDITIONAL SHOWERS FOR OFFENDERS.
- * ALLOW OFFENDERS TO WEAR SHORTS IN DAYROOM AND RECREATIONAL AREAS.
- * MAKE WATER AVAILABLE DURING MEAL TIMES.
- * MAKE SURE WINDOW SCREENS ARE CLEAN SO AS NOT TO RESTRICT AIRFLOW.
- * REMEMBER THAT OFFENDERS' FANS SHOULD NOT BE CONFISCATED DUE TO PROPERTY RESTRICTION DURING THIS TIME. FANS SHOULD BE CONFISCATED ONLY IF THEY HAVE BEEN ALTERED.
- * FANS WILL BE ALLOWED IN ALL CUSTODY LEVELS (TO INCLUDE ADMINISTRATIVE SEGREGATION AND DISCIPLINARY STATUS). OFFENDERS WITH FANS STORED BASED ON THESE RESTRICTIONS SHALL HAVE THEIR FANS RE-ISSUED FOR THE TIME PERIOD SPECIFIED IN THIS POSTING.
- * ALL OFFENDERS SHALL BE PERMITTED TO PURCHASE A FAN IF THEY DO NOT HAVE ONE.
- * ENSURE THAT THE FAN PROGRAM IS IN PLACE ALLOWING THE PERMANENT

ISSUE OF A FAN TO AN OFFENDER WHO HAS BEEN INDIGENT FOR THE PREVIOUS SIX MONTHS ON A FIRST COME, FIRST SERVE BASIS. OFFENDERS WHO HAVE SIGNIFICANT MEDICAL NEEDS, BASED ON A CONDITION OR MEDICATION THAT IS NEGATIVELY IMPACTED BY THE HEAT, SHALL BE GIVEN PRIORITY.

YOUR ATTENTION TO THIS MATTER IS GREATLY APPRECIATED. PLEASE BRING ANY QUESTIONS OR CONCERNS TO THE ATTENTION OF YOUR REGIONAL DIRECTOR AT THE NEXT REGIONAL WARDENS MEETING.

AUTHORITY: RODNEY COOPER, DEPUTY DIRECTOR
PRISON AND JAIL MANAGEMENT

Sent to: UNTS <list> (to)
ADMN <list> (to)
KCL9737 CLEERE, KATHY (to)

UNITED STATES DISTRICT COURT
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CRIMINAL JUSTICE. §
DEFENDANTS §

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EXHIBIT 100

MESSAGE ID: 358126TT DATE: 06/04/08 TIME: 11:33am PRIORITY: 000

TO: HBU8343 - BUENDEL, HELEN
ADMINISTRATIVE ASSISTANT III
HEALTH SERVICES
HUNTSVILLE

FROM: LIN0620 - INMAN, LETHA
PROGRAM SPECIALIST I
PLANS AND OPERATIONS
861-B, I-45 NORTH, RM. 144
HUNTSVILLE, TX 77340

SUBJECT: SUMMER HEAT PRECAUTIONS 2008

*** Original Author: KMO7963 - MOSS, KIRK; 05/29/08 04:07pm

* Sent by Alternate User "AJ06609" for "KMO7963" ***
* Original Author: KMO7963 - MOSS, KIRK; 05/29/08 03:56pm

IT IS THAT TIME OF YEAR WHEN EMPLOYEES AND OFFENDERS WILL BE AFFECTED BY EXTREME HEAT CONDITIONS. AS A REMINDER, DUE TO THE POTENTIAL FOR EXTREME HEAT CONDITIONS IN THE COMING MONTHS, IT IS IMPERATIVE THAT EVERYONE TAKE PRECAUTIONS TO HELP REDUCE HEAT-RELATED ILLNESSES. ADMINISTRATIVE DIRECTIVE 10.64, "TEMPERATURE EXTREMES IN THE TDCJ WORK PLACE", AND HEALTH SERVICES POLICY B15.2, "HEAT STRESS" SHOULD BE REVIEWED BY STAFF FOR GENERAL AWARENESS. UNIT TRAINING SHOULD BE COMPLETED BY JUNE 1, 2008 OR THE FIRST AVAILABLE DATE AN EMPLOYEE RETURNS TO WORK AND ENSURE TRAINING IS DOCUMENTED IN EMPLOYEES FILE. POCKET CARDS WITH TIPS FOR RECOGNITION, TREATMENT AND PREVENTION OF HEAT RELATED ILLNESSES ARE AVAILABLE FOR UNITS TO ORDER FROM THE PRISON STORE. WARDENS NEED TO ENSURE ALL CORRECTIONAL EMPLOYEES ARE PROVIDED WITH OR CURRENTLY HAVE POCKET CARDS. (PRISON STORE STOCK # 700-01-060-527)

ON MAY 27, 2008 STAFF FROM VARIOUS DEPARTMENTS (OFFENDER TRANSPORTATION, HEALTH SERVICES, RISK MANAGEMENT, LAUNDRY AND FOOD SERVICE, ENVIRONMENTAL, PLANS AND OPERATIONS) MET TO REVIEW AND DISCUSS ISSUES REGARDING PRECAUTIONS AND ACTIONS TAKEN LAST SUMMER AND TO DISCUSS ACTIONS FOR THE UPCOMING SUMMER. FOLLOWING YOU WILL FIND A LIST OF PRECAUTIONS/ACTIONS TO BE IMPLEMENTED STARTING JUNE 1, 2008 AND

ENDING OCTOBER 1, 2008. IF THE NEED ARISES, IMPLEMENTATION MAY BEGIN PRIOR TO JUNE 1, 2008.

- ENSURE EMPLOYEES AND OFFENDERS ARE AWARE OF THE SIGNS AND TREATMENT FOR HEAT RELATED ILLNESSES BY CONDUCTING TRAINING.
- * PROVIDE ADDITIONAL WATER. ICE SHOULD BE PROVIDED IF AVAILABLE TO EMPLOYEES AND OFFENDERS IN THE WORK AND HOUSING AREAS.
- * RESTRICT OUTSIDE ACTIVITY (WORK HOURS) IN ACCORDANCE WITH AD-10.64
- * ENSURE ALL STAFF AND OFFENDERS WORKING IN AREAS OF EXTREME HEAT (I.E. FIELD, MAINTENANCE, YARD SQUADS) ARE PROVIDED FREQUENT WATER BREAKS.
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- * UTILIZE INFOPAC REPORT (IMS042); IMF MEDICAL SCREEN AND/OR HSIN SENSITIVE MEDICAL RESTRICTIONS (INCLUDING BUT NOT LIMITED TO OFFENDERS ON PSYCHOTROPIC MEDICATIONS)
- * LOAD AND UNLOAD TRANSFER VEHICLES AS QUICKLY AS POSSIBLE. (SECURITY) AT EVERY BACKGATE IS THE FIRST PRIORITY, BUT WE MUST ALWAYS BE AWARE OF HEAT RELATED ISSUES WHEN BUSES OCCUPIED BY OFFENDERS SIT FOR ANY LENGTH OF TIME. EVERY REASONABLE EFFORT SHOULD BE MADE TO ENSURE BUSES GET IN AND OUT OF THE BACKGATE IN A SAFE AND EXPEDIENT MANNER).
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ADMINISTRATIVE SÉGREGATION AND DISCIPLINARY STATUS). OFFENDERS WITH FANS STORED BASED ON THESE RESTRICTIONS SHALL HAVE THEIR FANS RE-ISSUED FOR THE TIME PERIOD SPECIFIED IN THIS POSTING.

ALL OFFENDERS SHALL BE PERMITTED TO PURCHASE A FAN IF THEY DO NOT HAVE ONE.

- * ENSURE THAT THE FAN PROGRAM IS IN PLACE ALLOWING THE PERMANENT ISSUE OF A FAN TO AN OFFENDER WHO HAS BEEN INDIGENT FOR THE PREVIOUS SIX MONTHS ON A FIRST COME, FIRST SERVE BASIS. OFFENDERS WHO HAVE SIGNIFICANT MEDICAL NEEDS, BASED ON A CONDITION OR MEDICATION THAT IS NEGATIVELY IMPACTED BY THE HEAT, SHALL BE GIVEN PRIORITY.
- * WARDENS ARE ENCOURAGED TO COORDINATE WITH THEIR FOOD SERVICE DEPARTMENT TO ENSURE THEIR ICE-MACHINES ARE WORKING PROPERLY.

IT IS RECOMMENDED THAT EACH DEPARTMENT POSTS THIS NOTICE IN COMMON AREAS ON THE UNIT/ FACILITY. YOUR ATTENTION TO THIS MATTER IS GREATLY APPRECIATED. PLEASE BRING ANY QUESTIONS OR CONCERNS TO THE ATTENTION OF YOUR REGIONAL DIRECTOR AT THE NEXT REGIONAL WARDENS MEETING.

AUTHORITY: RODNEY COOPER, DEPUTY DIRECTOR
PRISON AND JAIL MANAGEMENT

*** Comments From KMO7963 - MOSS, KIRK; 05/29/08 04:03pm

*** Comments From: LIN0620 - INMAN, LETHA; 06/04/08 11:32am

Sent to: HBU8343 BUENDEL, HELEN (to)
GCR9820 CIPPEN, GEORGE RN, MSN (to)

UNITED STATES DISTRICT COURT
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STEPHEN McCOLLUM, and SANDRA §
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Plaintiffs' Consolidated Summary Judgment Response Appendix

EXHIBIT 101

Heat Precaution 2009 - Reminder

It is that time of year again, when employees and offenders will be affected by extreme heat conditions. As a reminder, due to the potential for extreme heat conditions in the coming months, it is imperative that everyone take precautions to help reduce heat-related illnesses. Administrative Directive (AD) 10.64, "Temperature Extremes in the TDCJ Work Place," and Health Services policy B15.2, "Heat Stress," should be reviewed by June, 1, 2009, or the first available date an employee returns to work, and ensure training is documented in the employees' file. Pocket cards that include tips for recognition, treatment, and prevention of heat related illnesses are available for units to order from the prison store. Wardens shall ensure all employees are provided with or currently have pocket cards (Prison Store Stock #700-01-060-527).

On May 4, 2009, Staff from various departments (i.e., Offender Transportation, Health Services, Risk Management, Laundry and Food Service, Plans and Operations) met to review precautions and actions taken last summer and to discuss action for the upcoming summer. Below is a list of precautions/actions to be implemented starting June 1, 2009, and ending October 1, 2009. If the need arises, implementation may begin prior to June 1, 2009.

- Ensure employees and offenders are aware of the signs and treatment for heat related illnesses by conducting training.
- Provide additional water; ice should be provided, if available, to employees and offenders in the work and housing areas.
- Restrict outside activity (work hours) in accordance with AD-10.64.
- Ensure all staff and offenders working in areas of extreme heat (i.e., field, maintenance, yard squads) are provided frequent water breaks.
- Refrain from transporting psychiatric inpatient offenders to another facility via chain bus.
- Transport offenders during the coolest hours of the day.
- Screen outgoing chain to ensure that the selected mode of transportation is appropriate.
- Allow offenders to take fans when being transported off the unit for a medical appointment.
- Utilize Info Pac Report (IMS042), IMF Medical Screen and/or HSIN Sensitive Medical Restrictions (including but not limited to an offender on psychotropic medications).
- Load and unload transfer vehicles as quickly as possible (security is the first priority at every backgate, but we must always be aware of heat related issues when buses occupied by offenders sit for any length of time. Every reasonable effort shall be made to ensure buses get in and out of the backgate in a safe and expedient manner).
- Transfer vehicles parked for more than 15 minutes are required to place a previously purchased fan on the vehicle. Units shall ensure that fans, extension cords, etc, are in place and available when needed.
- Store paper towels that can be saturated with water for transportation vehicles to utilize in emergencies.
- Water coolers on buses shall be refilled at various times during the way to ensure that water remains at the appropriate temperature (transportation).
- When utilizing fans, air should be drawn through the structure and exhausted outside. Take full advantage of the fresh air exchange system and/or prevailing winds to assist in the movement of air as applicable.

- Increase air flow by utilizing blowers, when and if appropriate, normally used to move hot air in the winter. Attach ribbons to vents to assure blowers are being used appropriately. Assure all maintenance needed to blowers has been completed.
- Allow additional showers for offenders.
- Allow offenders to wear shorts in dayrooms and recreational areas.
- Make water available during meal times.
- Make sure window screens are clean so as not to restrict air flow.
- Remember that offenders' fans should not be confiscated due to property restriction during this time. Fans shall be confiscated only if they have been altered.
- Fans will be allowed to all custody levels (to include Administrative Segregation and disciplinary status). Offenders with fans stored based on these restrictions shall have their fans re-issued for the time period specified in this posting.
- All offenders shall be permitted to purchase a fan if they do not have one.
- Ensure that the fan program is in place allowing the permanent issue of a fan to an offender who has been indigent for the previous six months on a first come first serve basis. Offenders who have significant medical needs, based on a condition or medication that is negatively impacted by the heat, shall be given priority.
- Wardens are encouraged to coordinate with their Food Service department to ensure their ice-machines are working properly.

It is recommended that each department post this notice in common areas on the unit/facility. Your attention to this matter is greatly appreciated. Please bring any questions or concerns to the attention of your Regional Director at the next Regional Wardens Meeting.

Authority: Rodney Cooper, Deputy Director
Prison and Jail Management

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EXHIBIT 102

Heat Precaution 2010 - Reminder

It is that time of year again, when employees and offenders will be affected by extreme heat conditions. As a reminder, due to the potential for extreme heat conditions in the coming months, it is imperative that everyone take precautions to help reduce heat-related illnesses. Administrative Directive (AD) 10.64, "Temperature Extremes in the TDCJ Work Place," and Health Services policy B15.2, "Heat Stress," should be reviewed by June, 1, 2010, or the first available date an employee returns to work, and ensure training is documented in the employees' file. Pocket cards that include tips for recognition, treatment, and prevention of heat related illnesses are available for units to order from the prison store. Wardens shall ensure all employees are provided with or currently have pocket cards (Prison Store Stock #700-01-060-527).

On April 23, 2010, staff from various departments (e.g., Offender Transportation, Health Services, Risk Management, Laundry and Food Service, Plans and Operations) met to review precautions and actions taken last summer and to discuss actions for the upcoming summer. Below is a list of precautions and actions to be implemented starting June 1, 2010, and ending October 1, 2010. If the need arises, implementation may begin prior to June 1, 2010.

- Ensure employees and offenders are aware of the signs and treatment for heat related illnesses by conducting training.
- Provide additional water; ice should be provided, if available, to employees and offenders in the work and housing areas, and shall be coordinated with Maintenance and Laundry and Food Service.
- Restrict outside activity (work hours) in accordance with AD-10.64, "Temperature Extremes in the TDCJ Work Place."
- Ensure all staff and offenders working in areas of extreme heat (e.g., field, maintenance, yard squads) are provided frequent water breaks.
- Refrain from transporting psychiatric inpatient offenders to another facility via chain bus.
- Transport offenders during the coolest hours of the day.
- Screen outgoing chain to ensure the selected mode of transportation is appropriate.
- Allow offenders to take fans when being transported off the unit for a medical appointment.
- Utilize Info Pac Report (IMS042), IMF Medical Screen or HSIN Sensitive Medical Restrictions (including but not limited to an offender on psychotropic medications) to determine appropriate transportation method.
- Load and unload transfer vehicles as quickly as possible (security is the first priority at every backgate, but we must always be aware of heat related issues when buses occupied by offenders sit for any length of time. Every reasonable effort shall be made to ensure buses get in and out of the backgate in a safe and expedient manner).
- Transfer vehicles parked for more than 15 minutes are required to place a previously purchased fan on the vehicle. Units shall ensure fans, extension cords, etc., are in place and available when needed.
- Store paper towels to be saturated with water for transportation vehicles to use in emergencies.
- Water coolers on buses shall be refilled at various times during the trip to ensure water remains at the appropriate temperature (transportation).

- When utilizing fans, air should be drawn through the structure and exhausted outside. Take full advantage of the fresh air exchange system or prevailing winds to assist in the movement of air as applicable.
- Increase air flow by utilizing blowers, normally used to move hot air in the winter, when appropriate. Attach ribbons to vents to ensure blowers are used appropriately. Ensure all needed maintenance to blowers is completed.
- Allow additional showers for offenders when feasible.
- Allow offenders to wear shorts in dayrooms and recreational areas.
- Make water available during meal times.
- Make sure window screens are clean so as not to restrict air flow.
- Remember that offender fans should not be confiscated due to property restriction during this time. Fans shall be confiscated only if they are altered.
- Fans shall be allowed to all custody levels (to include Administrative Segregation and disciplinary status). Offenders with fans stored based on these restrictions shall have their fans re-issued for the time period specified in this posting.
- All offenders shall be permitted to purchase a fan if they do not have one.
- Ensure the fan program is in place allowing the permanent issue of a fan to an offender who has been indigent for the previous six months, on a first come first serve basis. Offenders who have significant medical needs, based on a condition or medication that is negatively impacted by the heat, shall be given priority.
- Wardens are encouraged to coordinate with their Food Service department to ensure ice-machines are working properly.

It is required that each department posts this notice in common areas on the facility. Your attention to this matter is greatly appreciated.

Authority: William Stephens, Deputy Director
Prison and Jail Management

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EXHIBIT 103

*** REQUESTOR: AK00002 - ANDERSON, KATIE PLANS AND OPERATIONS ***

*** S Y S M O U T B A S K E T P R I N T ***

MESSAGE ID: 443924 DATE: 05/06/11 TIME: 12:34pm PRIORITY: 000
SUBJECT: HEAT PRECAUTION 2011

HEAT PRECAUTION 2011 - REMINDER

IT IS THAT TIME OF YEAR AGAIN, WHEN EMPLOYEES WILL BE AFFECTED BY EXTREME HEAT CONDITIONS. AS A REMINDER, DUE TO THE POTENTIAL FOR EXTREME HEAT CONDITIONS IN THE COMING MONTHS, IT IS IMPERATIVE THAT EVERYONE TAKE PRECAUTIONS TO HELP REDUCE HEAT-RELATED ILLNESSES. ADMINISTRATIVE DIRECTIVE AD-10.64, "TEMPERATURE EXTREMES IN THE TDCJ WORK PLACE," AND HEALTH SERVICES POLICY B15.2, "HEAT STRESS," SHOULD BE REVIEWED BY JUNE 1, 2011, OR THE FIRST AVAILABLE DATE AN EMPLOYEE RETURNS TO WORK, AND ENSURE TRAINING IS DOCUMENTED IN THE EMPLOYEES' FILE. POCKET CARDS THAT INCLUDE TIPS FOR RECOGNITION, TREATMENT, AND PREVENTION OF HEAT RELATED ILLNESSES ARE AVAILABLE FOR UNITS TO ORDER FROM THE PRISON STORE. WARDENS SHALL ENSURE ALL EMPLOYEES ARE PROVIDED WITH OR CURRENTLY HAVE POCKET CARDS (PRISON STORE STOCK#700-01-060-527).

ON APRIL 25, 2011, STAFF FROM VARIOUS DEPARTMENTS SUCH AS, OFFENDER TRANSPORTATION, HEALTH SERVICES, RISK MANAGEMENT, LAUNDRY AND FOOD SERVICE, AND PLANS AND OPERATIONS MET TO REVIEW PRECAUTIONS AND ACTIONS TAKEN LAST SUMMER AND TO DISCUSS ACTIONS FOR THE UPCOMING SUMMER. BELOW IS A LIST OF PRECAUTIONS AND ACTIONS TO BE IMPLEMENTED STARTING JUNE 1, 2011, AND ENDING OCTOBER 1, 2011. IF THE NEED ARISES, IMPLEMENTATION MAY BEGIN PRIOR TO JUNE 1, 2011.

- ENSURE EMPLOYEES AND OFFENDERS ARE AWARE OF THE SIGNS AND TREATMENT FOR HEAT RELATED ILLNESSES BY CONDUCTING TRAINING.
- PROVIDE ADDITIONAL WATER; ICE SHOULD BE PROVIDED, IF AVAILABLE TO EMPLOYEES AND OFFENDERS IN WORK AND HOUSING AREAS, AND SHALL BE COORDINATED WITH MAINTENANCE AND LAUNDRY AND FOOD SERVICE.
- RESTRICT OUTSIDE ACTIVITY (WORK HOURS) IN ACCORDANCE WITH AD-10.64, "TEMPERATURE EXTREMES IN THE TDCJ WORK PLACE."
- ENSURE ALL STAFF AND OFFENDERS WORKING IN AREAS OF EXTREME HEAT SUCH AS, FIELD, MAINTENANCE, AND YARD SQUADS ARE PROVIDED FREQUENT WATER BREAKS.
- REFRAIN FROM TRANSPORTING PSYCHIATRIC INPATIENT OFFENDERS TO ANOTHER FACILITY VIA CHAIN BUS.
- TRANSPORT OFFENDERS DURING THE COOLEST HOURS OF THE DAY.
- SCREEN OUTGOING CHAIN TO ENSURE THE SELECTED MODE OF TRANSPORTATION IS APPROPRIATE.
- ALLOW OFFENDERS TO TAKE FANS WHEN BEING TRANSPORTED OFF THE UNIT FOR A MEDICAL APPOINTMENT.
- UTILIZE INFO PAC REPORT (IMS042), IMF MEDICAL SCREEN, OR HSIN SENSITIVE MEDICAL RESTRICTIONS (INCLUDING BUT NOT LIMITED TO AN OFFENDER ON PSYCHOTROPIC MEDICATIONS) TO DETERMINE APPROPRIATE TRANSPORTATION METHOD.
- LOAD AND UNLOAD TRANSFER VEHICLES AS QUICKLY AS POSSIBLE (SECURITY IS THE FIRST PRIORITY AT EVERY BACKGATE, BUT WE MUST ALWAYS BE

AWARE OF HEAT RELATED ISSUES WHEN BUSES OCCUPIED BY OFFENDERS SIT FOR ANY LENGTH OF TIME (BUSES MAY CIRCLE THE PERIMETER IF THE UNIT FORESEES AN EXTENDED WAIT TIME). EVERY REASONABLE EFFORT SHALL BE

MADE TO ENSURE BUSES GET IN AND OUT OF THE BACKGATE IN A SAFE AND EXPEDIENT MATTER.

- TRANSFER VEHICLES PARKED FOR MORE THAN 15 MINUTES ARE REQUIRED TO PLACE A PREVIOUSLY PURCHASED FAN ON THE VEHICLE. UNITS SHALL ENSURE FANS, EXTENSION CORDS, ETC., ARE IN PLACE AND AVAILABLE WHEN NEEDED.
- STORE PAPER TOWELS FOR USE WHEN SATURATED WITH WATER DURING EMERGENCY SITUATIONS WHEN TRANSPORTING OFFENDERS.
- WATER COOLERS ON BUSES SHALL BE REFILLED AT VARIOUS TIMES DURING THE TRIP TO ENSURE WATER REMAINS AT THE APPROPRIATE TEMPERATURE (TRANSPORTATION).
- WHEN USING FANS, AIR SHOULD BE DRAWN THROUGH THE STRUCTURE AND EXHAUSTED OUTSIDE. TAKE FULL ADVANTAGE OF THE FRESH AIR EXCHANGE SYSTEM OR PREVAILING WINDS TO ASSIST IN THE MOVEMENT OF AIR AS APPLICABLE.
- INCREASE AIR FLOW BY USING BLOWERS, NORMALLY USED TO MOVE HOT AIR IN THE WINTER, WHEN APPROPRIATE. ATTACH RIBBONS TO VENTS TO ENSURE BLOWERS ARE USED APPROPRIATELY. ENSURE ALL NEEDED MAINTENANCE TO BLOWERS HAS BEEN COMPLETED.
- ALLOW ADDITIONAL SHOWERS FOR OFFENDERS WHEN FEASIBLE.
- ALLOW OFFENDERS TO WEAR SHORTS IN DAYROOMS AND RECREATIONAL AREAS.
- MAKE WATER AVAILABLE DURING MEAL TIMES.
- MAKE SURE WINDOW SCREENS ARE CLEAN SO AS NOT TO RESTRICT AIR FLOW.
- REMEMBER, OFFENDER FANS SHOULD NOT BE CONFISCATED DUE TO PROPERTY RESTRICTION DURING THIS TIME. FANS SHALL BE CONFISCATED ONLY IF THEY ARE ALTERED.
- FANS SHALL BE ALLOWED TO ALL CUSTODY LEVELS (TO INCLUDE ADMINISTRATIVE SEGREGATION AND DISCIPLINARY STATUS). OFFENDERS WITH FANS STORED BASED ON THESE RESTRICTIONS SHALL HAVE THEIR FANS RE-ISSUED FOR THE TIME PERIOD SPECIFIED IN THIS POSTING.
- ALL OFFENDERS SHALL BE PERMITTED TO PURCHASE A FAN IF THEY DO NOT HAVE ONE.
- ENSURE THE FAN PROGRAM IS IN PLACE ALLOWING THE PERMANENT ISSUE OF A FAN TO AN OFFENDER WHO HAS BEEN INDIGENT FOR THE PREVIOUS SIX MONTHS, ON A FIRST COME FIRST SERVE BASIS. OFFENDERS WHO HAVE SIGNIFICANT MEDICAL NEEDS, BASED ON A CONDITION OR MEDICATION THAT IS NEGATIVELY IMPACTED BY THE HEAT, SHALL BE GIVEN PRIORITY.
- WARDENS ARE ENCOURAGED TO COORDINATE WITH THEIR FOOD SERVICE AND MAINTENANCE DEPARTMENTS TO ENSURE ICE-MACHINES ARE WORKING PROPERLY.

IT IS REQUIRED THAT EACH DEPARTMENT POSTS THIS NOTICE IN COMMON AREAS ON THE FACILITY. YOUR ATTENTION TO THIS MATTER IS GREATLY APPRECIATED.

AUTHORITY: WILLIAM STEPHENS, DEPUTY DIRECTOR
PRISON AND JAIL OPERATIONS

Sent to: UNTS <list> (to)
ADMN <list> (to)
GCR9820 CIPPEN, GEORGE RN, MSN, PHDC (to)
MBR2736 BRUMLEY, MARSHA (to)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA §
McCOLLUM, individually, and STEPHANIE §
KINGREY, individually and as independent §
administrator of the Estate of LARRY GENE §
McCOLLUM, §
PLAINTIFFS §
§
v. § CIVIL ACTION NO.
§ 4:14-cv-3253
§ JURY DEMAND
BRAD LIVINGSTON, JEFF PRINGLE, §
RICHARD CLARK, KAREN TATE, §
SANDREA SANDERS, ROBERT EASON, the §
UNIVERSITY OF TEXAS MEDICAL §
BRANCH and the TEXAS DEPARTMENT OF §
CRIMINAL JUSTICE. §
DEFENDANTS §

Plaintiffs' Consolidated Summary Judgment Response Appendix

EXHIBIT 104

*** REQUESTOR: ACR5952 - GREGORY, AMBER PLANS AND OPERATIONS ***

*** SYSTM IN BASKET PRINT ***

MESSAGE ID: 235367 DATE: 04/03/14 TIME: 12:39pm PRIORITY: 000

TO: ACR5952 - GREGORY, AMBER
PROGRAM SPECIALIST III
PLANS AND OPERATIONS
HUNTSVILLE

FROM: RPL0392 - PLATTENBURG, ROSIE
PROGRAM SUPERVISOR V
PLANS AND OPERATIONS
P.O. BOX 99
HUNTSVILLE, TEXAS 77340

SUBJECT: HEAT PRECAUTION 2014

IT IS THAT TIME OF YEAR AGAIN, WHEN EMPLOYEES AND OFFENDERS MAY BE AFFECTED BY EXTREME HEAT CONDITIONS. AS A REMINDER, DUE TO THE POTENTIAL FOR EXTREME HEAT CONDITIONS IN THE COMING MONTHS, IT IS IMPERATIVE THAT EVERYONE TAKE PRECAUTIONS TO HELP PREVENT OR REDUCE HEAT-RELATED ILLNESSES. AD-10.64, "TEMPERATURE EXTREMES IN THE TDCJ," AND CMHC POLICY D.27.2, "HEAT STRESS," SHOULD BE REVIEWED BY JUNE 1, 2014, OR THE FIRST AVAILABLE DATE AN EMPLOYEE RETURNS TO WORK, AND EACH UNIT SHALL ENSURE TRAINING IS DOCUMENTED IN THE EMPLOYEES' FILE. POCKET CARDS (PRISON STORE STOCK #700-01-060-527) THAT INCLUDE TIPS FOR THE RECOGNITION, TREATMENT, AND PREVENTION OF HEAT-RELATED ILLNESSES ARE AVAILABLE FOR UNITS TO ORDER FROM THE PRISON STORE.

ON MARCH 20, 2014, STAFF FROM VARIOUS DIVISIONS/DEPARTMENTS SUCH AS, ADMINISTRATIVE REVIEW AND RISK MANAGEMENT (ARRM) DIVISION, CLASSIFICATION AND RECORDS, CORRECTIONAL TRAINING AND STAFF DEVELOPMENT, HEALTH SERVICES DIVISION, INCIDENT MANAGEMENT OFFICE, LAUNDRY, FOOD AND SUPPLY, MAIL SYSTEMS COORDINATOR'S PANEL (MSCP), OFFENDER TRANSPORTATION, OFFICE OF THE GENERAL COUNSEL, PLANS AND OPERATIONS, AND PRIVATE FACILITY CONTRACT MONITORING/OVERSIGHT DIVISION (PFCMOD) MET TO REVIEW PRECAUTIONS AND ACTIONS TAKEN LAST SUMMER AND TO DISCUSS ACTIONS FOR THE UPCOMING SUMMER. BELOW IS A LIST OF PRECAUTIONS AND ACTIONS TO BE IMPLEMENTED BEGINNING JUNE 1, 2014, AND ENDING OCTOBER 1, 2014. IF THE NEED ARISES BASED ON FORECASTED TEMPERATURES, IMPLEMENTATION MAY BEGIN PRIOR TO JUNE 1, 2014 AND MAY END AFTER OCTOBER 1, 2014.

WELLNESS CHECKS:

- * TDCJ STAFF AND MEDICAL PROVIDERS SHALL WORK CLOSELY TOGETHER TO IDENTIFY OFFENDERS WHO MAY BE SUSCEPTIBLE TO HEAT-RELATED ISSUES DUE TO THE OFFENDER'S CURRENT MEDICAL CONDITION.
- * THE INFOPAC REPORT (IMS042) PROVIDES A LIST OF OFFENDERS IDENTIFIED AS HEAT SENSITIVE AND SHALL BE PROVIDED TO OFFICERS ASSIGNED TO HOUSING AREAS.
- * DURING NORMAL SECURITY CHECKS, OFFICERS SHALL CONDUCT WELLNESS CHECKS

PRECAUTIONS AND ACTIONS RELATED TO TRAINING:

- * ENSURE EMPLOYEES AND OFFENDERS ARE AWARE OF THE SIGNS OF AND TREATMENT FOR HEAT-RELATED ILLNESSES BY CONDUCTING TRAINING.
- * ENSURE ALL EMPLOYEES CURRENTLY HAVE, OR ARE PROVIDED WITH, HEAT-RELATED ILLNESS POCKET CARDS AND CARRY SAID CARDS ON THEIR PERSON WHILE ON THE UNIT.

PRECAUTIONS AND ACTIONS RELATED TO OFFENDER TRANSPORT:

- * TRANSPORT OFFENDERS DURING THE COOLEST HOURS OF THE DAY, WHEN POSSIBLE.
- * USE CAUTION WHEN TRANSPORTING PSYCHIATRIC INPATIENT OFFENDERS TO ANOTHER FACILITY VIA CHAIN BUS.
- * TRANSFER OFFICERS ARE PROVIDED A LIST OF OFFENDERS WITH HEAT SENSITIVITY, AND SHALL MONITOR THESE OFFENDERS FOR SIGNS OF HEAT-RELATED ILLNESS.
- * ALLOW OFFENDERS TO TAKE FANS WHEN BEING TRANSPORTED OFF THE UNIT FOR A MEDICAL APPOINTMENT.
- * TRANSFER VEHICLES WITHOUT FUNCTIONAL FANS, PARKED FOR MORE THAN 15 MINUTES ARE REQUIRED TO PLACE A PREVIOUSLY PURCHASED FAN ON THE VEHICLE. UNITS SHALL ENSURE FANS, EXTENSION CORDS, ETC., ARE IN PLACE AND AVAILABLE WHEN NEEDED.
- * LOAD AND UNLOAD TRANSFER VEHICLES AS QUICKLY AS POSSIBLE.
- * SECURITY IS THE FIRST PRIORITY AT EVERY BACKGATE; HOWEVER, WE MUST ALWAYS BE AWARE OF HEAT-RELATED ISSUES WHEN BUSES OCCUPIED BY OFFENDERS SIT FOR ANY LENGTH OF TIME (BUSES MAY CIRCLE THE PERIMETER IF THE UNIT FORESEES AN EXTENDED WAIT TIME). EVERY REASONABLE EFFORT SHALL BE MADE TO ENSURE BUSES GET INTO AND OUT OF THE BACKGATE IN A SAFE AND EXPEDIENT MANNER.
- * WATER COOLERS ON BUSES SHALL BE REFILLED AT VARIOUS TIMES DURING THE TRIP TO ENSURE WATER REMAINS AT THE APPROPRIATE TEMPERATURE (TRANSPORTATION). CUPS SHALL BE MADE AVAILABLE TO OFFENDERS ON BUSES.
- * STORE PAPER TOWELS TO BE SATURATED WITH WATER AND USED DURING EMERGENCY SITUATIONS WHEN TRANSPORTING OFFENDERS.

PRECAUTIONS AND ACTIONS RELATED TO OUTSIDE ACTIVITY:

- * RESTRICT OUTSIDE ACTIVITY (WORK HOURS) IN ACCORDANCE WITH AD-10.64, "TEMPERATURE EXTREMES IN THE TDCJ."
- * ENSURE ALL STAFF AND OFFENDERS WORKING IN AREAS OF EXTREME HEAT SUCH AS, FIELD, MAINTENANCE, AND YARD SQUADS ARE PROVIDED FREQUENT WATER BREAKS.
- * PROVIDE ADDITIONAL WATER, INCLUDING ICE IF AVAILABLE, TO EMPLOYEES AND OFFENDERS IN WORK AREAS; UNITS SHALL COORDINATE WITH MAINTENANCE AND LAUNDRY AND FOOD SERVICE.

PRECAUTIONS AND ACTIONS RELATED TO OFFENDER INTAKE:

- * AS OFFENDERS ARRIVE ON INTAKE FACILITIES (ID AND STATE JAIL), A STAFF MEMBER FROM THE MEDICAL DEPARTMENT SHALL CONDUCT AN INITIAL SCREENING TO ASCERTAIN IF THE OFFENDER HAS ANY CONDITIONS OR IS ON ANY MEDICATION THAT WOULD MAKE HIM/HER MORE SUSCEPTIBLE TO THE HEAT.
- * IF THE MEDICAL DEPARTMENT DETERMINES AN OFFENDER HAS A CONDITION OR IS ON A MEDICATION WHICH MAKES HIM/HER MORE SUSCEPTIBLE TO THE HEAT, MEDICAL STAFF SHALL COMMUNICATE SUCH TO CORRECTIONAL STAFF AND THE OFFENDER WILL BE TEMPORARILY PLACED ON THE WELLNESS CHECK LIST UNTIL A FULL MEDICAL EXAMINATION CAN BE CONDUCTED.

PRECAUTIONS AND ACTIONS RELATED TO OFFENDER HOUSING ASSIGNMENTS:

- * MEDICAL STAFF ARE RESPONSIBLE FOR ENSURING THAT ALL HSM-18 MEDICAL

RESTRICTIONS ON THE IMF MEDICAL SCREEN OR HSIN SENSITIVE MEDICAL RESTRICTIONS INCLUDING BUT NOT LIMITED TO AN OFFENDER ON PSYCHOTROPIC MEDICATIONS, ARE UP TO DATE TO FACILITATE THE APPROPRIATE MEANS OF TRANSPORTATION METHOD AND HOUSING ASSIGNMENT FOR EACH OFFENDER.

- * HEAT SENSITIVE RESTRICTIONS SHALL BE CONSIDERED WHEN MAKING HOUSING ASSIGNMENTS.

PRECAUTIONS AND ACTIONS TO BE TAKEN IN OFFENDER HOUSING AREAS:

- * MAKE WATER AND CUPS AVAILABLE AT ALL TIMES, TO INCLUDE DURING MEAL TIMES.
- * ENSURE OFFENDERS ARE PROVIDED A CUP WHEN DISTRIBUTING WATER. IN THE EVENT AN OFFENDER DOES NOT HAVE A PERSONAL CUP, ONE SHALL BE PROVIDED. THE FOOD SERVICE DEPARTMENT CAN PROVIDE ITEMS AS NEEDED.
- * PROVIDE ADDITIONAL WATER, INCLUDING ICE IF AVAILABLE, TO EMPLOYEES AND OFFENDERS IN THE HOUSING AREAS.
- * ALLOW ADDITIONAL SHOWERS FOR OFFENDERS WHEN FEASIBLE. LOWER THE WATER TEMPERATURE FOR SINGLE-TEMPERATURE SHOWERS IN OFFENDER HOUSING AREAS.
- * ALLOW OFFENDERS TO WEAR SHORTS IN DAYROOMS AND RECREATIONAL AREAS.
- * WHEN USING FANS, AIR SHOULD BE DRAWN THROUGH THE STRUCTURE AND EXHAUSTED OUTSIDE. TAKE FULL ADVANTAGE OF THE FRESH AIR EXCHANGE SYSTEM OR PREVAILING WINDS TO ASSIST IN THE MOVEMENT OF AIR AS APPLICABLE.
- * INCREASE AIR FLOW BY USING BLOWERS, NORMALLY USED TO MOVE HOT AIR IN THE WINTER, WHEN APPROPRIATE. ATTACH RIBBONS TO VENTS TO ENSURE BLOWERS ARE USED APPROPRIATELY. MAKE SURE WINDOW SCREENS ARE CLEAN SO AS NOT TO RESTRICT AIR FLOW.
- * POSTERS SHALL BE PLACED IN HOUSING AREAS REMINDING OFFENDERS OF HEAT PRECAUTIONS AND WATER INTAKE.

PRECAUTIONS AND ACTIONS TO BE TAKEN RELATED TO OFFENDER FANS:

- * REMEMBER, OFFENDER FANS SHOULD NOT BE CONFISCATED DUE TO PROPERTY RESTRICTION DURING THIS TIME. FANS SHALL BE CONFISCATED ONLY IF THEY ARE ALTERED OR STOLEN.
- * ALL OFFENDERS SHALL BE PERMITTED TO PURCHASE A FAN IF THEY DO NOT HAVE ONE.
- * FANS SHALL BE ALLOWED TO ALL CUSTODY LEVELS, TO INCLUDE ADMINISTRATIVE SEGREGATION AND DISCIPLINARY STATUS. OFFENDERS WITH FANS STORED BASED ON THESE RESTRICTIONS SHALL HAVE THEIR FANS RE-ISSUED FOR THE PERIOD SPECIFIED IN THIS POSTING.
- * ENSURE THE FAN PROGRAM IS IN PLACE ALLOWING THE PERMANENT ISSUE OF A FAN TO AN INDIGENT OFFENDER, ON A FIRST COME FIRST SERVE BASIS. OFFENDERS WHO HAVE SIGNIFICANT MEDICAL NEEDS, BASED ON A CONDITION OR MEDICATION THAT IS NEGATIVELY IMPACTED BY THE HEAT, SHALL BE GIVEN PRIORITY.

PRECAUTIONS AND ACTIONS TO BE TAKEN RELATED TO MAINTENANCE:

- * COORDINATE WITH THE FOOD SERVICE AND MAINTENANCE DEPARTMENTS TO ENSURE ICE-MACHINES ARE WORKING PROPERLY AND ALL NEEDED MAINTENANCE HAS BEEN COMPLETED.
- * ENSURE ALL NEEDED MAINTENANCE TO BLOWERS HAS BEEN COMPLETED.
- * ENSURE ALL NEEDED MAINTENANCE TO FANS HAS BEEN COMPLETED.

IT IS REQUIRED THAT EACH DEPARTMENT POSTS THIS NOTICE IN COMMON AREAS ON THE FACILITY. YOUR ATTENTION TO THIS MATTER IS GREATLY APPRECIATED.

AUTHORITY: WILLIAM STEPHENS, DIRECTOR
CORRECTIONAL INSTITUTIONS DIVISION

Sent to: Case 4:14-cv-03253 Document 301-4 Filed on 09/08/16 in TXSD Page 23 of 37

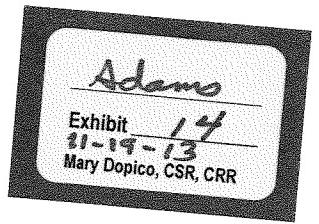
UNTS	<list>	(to)
ADMN	<list>	(to)
HBU8343	BUENDEL, HELEN	(to)
GCR9820	CIPPEN, GEORGE RN, MSN, PHDC	(to)
JCL9871	CLARK, JASON	(to)
ACR5952	GREGORY, AMBER	(to)
BPI4995	PIXLEY, BARBARA	(to)
MJA4074	JACKSON, MONICA	(to)
JSH6810	O'DONNELL, JESSICA	(to)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA §
McCOLLUM, individually, and STEPHANIE §
KINGREY, individually and as independent §
administrator of the Estate of LARRY GENE §
McCOLLUM, §
PLAINTIFFS §
§
v. § CIVIL ACTION NO.
§ 4:14-cv-3253
§ JURY DEMAND
BRAD LIVINGSTON, JEFF PRINGLE, §
RICHARD CLARK, KAREN TATE, §
SANDREA SANDERS, ROBERT EASON, the §
UNIVERSITY OF TEXAS MEDICAL §
BRANCH and the TEXAS DEPARTMENT OF §
CRIMINAL JUSTICE. §
DEFENDANTS §

Plaintiffs' Consolidated Summary Judgment Response Appendix

EXHIBIT 105



CORRECTIONAL MANAGED HEALTH CARE POLICY MANUAL	Effective Date: 04/07	NUMBER: A-08.4 Page 1 of 2
	Replaces: 08/97	
	Formulated: 8/87	
	Reviewed: 04/11	

OFFENDER MEDICAL AND MENTAL HEALTH CLASSIFICATION

PURPOSE: To provide a standardized system of classifying medical and/or mental health limitations for the offender population incarcerated within the Texas Department of Criminal Justice (TDCJ).

POLICY: Offenders incarcerated within TDCJ will be assessed for medical and/or mental impairments by qualified healthcare personnel (see Attachment A) who will assign each offender appropriate restrictions related to (1) housing, (2) physical activities and work, (3) disciplinary process, (4) individual treatment plan, and (5) transportation. Restrictions will be indicated on the Health Summary for Classification (HSM-18).

PROCESS:

- I. Each offender will undergo medical and mental health assessments by trained health services personnel during the intake process and appropriate limitations/restrictions will be assigned and entered on the Health Summary for Classification (HSM-18) screen.
- II. The HSM-18 will be reviewed and, if indicated, updated whenever an offender is newly assigned to a facility or returns from an off-site specialty clinic, infirmary, or hospital.
- III. Recognizing that an offender's condition may change and/or opinions may differ among health care professionals, an offender's HSM-18 may be reviewed and revised at the discretion of a physician, dentist, psychiatrist, mid-level provider, or Master's Level or higher Psychologist. HSM-18 review with appropriate updating is *required* whenever there is a *significant* change in the offender's medical or mental status.
- IV. All changes in the Health Summary for Classification will include documentation of the reason(s) or rationale for the change. Changes may be based upon chart review alone but if challenged, an examination of the offender must be conducted. This examination/evaluation will be made at no charge to the offender. Pertinent findings (both positive and negative) to support the examiner's HSM-18 decision(s) will be documented in the medical record.
- V. The final authority as to whether an offender's HSM-18 limitations/restrictions are correct will be the facility Medical Director or psychiatrist (as appropriate) at the offender's current facility of assignment. Higher level intervention (Regional/District/Division Medical Director) will occur only on a case by case basis in unusual or extraordinary situations.
- VI. All limitations/restrictions regarding an offender's housing, work, disciplinary process, transportation, and individual treatment plan requirements will be documented in his/her medical record. Should discrepancies exist between the Health Summary for Classification

MCCOLLUM 046

CORRECTIONAL MANAGED HEALTH CARE POLICY MANUAL	Effective Date: 04/07	NUMBER: A-08.4 Page 2 of 2
	Replaces: 08/97	
	Formulated: 8/87	
	Reviewed: 04/11	
OFFENDER MEDICAL AND MENTAL HEALTH CLASSIFICATION		

(HSM-18) screen and the medical record, the medical record is the prevailing authority pending clarification from an appropriate healthcare provider.

- VII. Medical and psychiatric diagnoses will be assigned appropriate Alert Codes and the Alert Codes entered into the TDCJ data processing system within 5 working days. (Reference: Health Services Data Processing Manual)

Reference: 2008 NCCHC Standard P-A-08, Communication on Patients' Health Needs (essential)
ACA Standard 4-4396 (Ref 3-4377)
ACA Standard 4-4399 (Ref 3-4369)

MCCOLLUM 047

Plaintiffs' MSJ Appx. 1532

A-08.4 Attachment A

Effective: 2-15-2011

Reviewed: 02/11

GUIDELINES FOR COMPLETING THE HEALTH SUMMARY FOR CLASSIFICATION FORM

The purpose of the "Health Summary" form is to provide medical and mental health information for each offender to assist the classification committee in making appropriate assignments. Facility housing, work and transportation restrictions must be based upon orders by a physician, mid-level provider, dentist, or psychiatrist and are entered into the HSM-18 computer program. Disciplinary and ITP restrictions may be based upon recommendation of a qualified mental health provider, nurse, physician or mid-level provider. Reference the HSM-18 users guide for data entry instructions.

The specific information to be placed in each item of the form is described below:

- I. Facility Assignment** – The following facility assignments are requested by E-form through the office of the TDCJ Health Services Liaison.
 - A. No Restrictions** – In terms of health consideration, the offender can be placed on any facility in the system. (This is the default selection).
 - B. Barrier-Free Facility** – This category is intended for wheelchair bound out-patient offenders and must be approved by the Clinical Director of Assistive Disability Services (ADS).
 - C. Single Level Facility** – This category is for offenders who are physically unable to climb stairs and are therefore unable to access approved programs on a multi-level facility.
- II. Housing Assignments** - Information to complete these categories should be obtained from the physical exam, doctor's orders, and/or the Individualized Treatment Plan.
 - A. Basic Housing**
 - 1. No restrictions** -- This means that from a health standpoint, the offender can be assigned to any available housing.
 - 2. Single Cell Only** -- The following types of offenders must be single celled:
 - a. physically handicapped offenders as recommended by their Individualized Treatment Plan;
 - b. mental health patients at the recommendation of the treating psychiatrist or psychiatric mid-level provider.
 - 3. Special Housing** -- (Housing with patient with like medical condition). See Infection Control Manual. This designation must be entered on all patients who meet the criteria contained in the Infection Control Manual. This is not a housing type (cell block vs. dorm) instruction to classification. This notifies unit classification that if for security reasons an offender must be housed on a cell block and he/she meets specific classification guidelines, that a suitable housing partner must be located by communicating with Health Services.
 - 4. Cell Block Only** -- For offenders who are psychiatrically inappropriate for dormitory housing.
 - B. Bunk Assignment**
 - 1. No Restrictions** -- This means the offender can be assigned either the upper or lower bunk.
 - 2. Lower Only** -- This category should be used for anyone whose medical condition creates major difficulties with climbing into an upper bunk. Examples include anyone who is feeble or infirm due to age, conditions such as disabling arthritis, amputation, paraplegia, epilepsy, sensory disturbances, morbid obesity, or significant back pathology (e.g. grade 2 or > spondylolisthesis), significant CV or Respiratory Disease, etc. (This restriction impacts heavily on facility operations and should be used judiciously).

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A-08.4 Attachment A

Effective: 2-15-2011

Reviewed: 02/11

C. Row Assignments

1. **No Restrictions** -- This means the offender can be placed on any row.
2. **Ground Floor Only** -- This category should be used for individuals whose medical or mental health (secondary to heat) condition contraindicates climbing stairs or living on a higher row. Examples include offenders whose condition requires a wheelchair (Omitted space between "wheel" and "chair), walker, or two crutches; bilateral lower extremity prostheses; severe lower extremity instability without prescription brace; severe CHF and/or CAD with moderate to severe angina; and/or severe COPD (requires respiratory consultation).

D. Wheelchair Use – Please mark appropriately:

1. No restriction: Check this box for offenders who are not wheelchair dependent.
2. Provider ordered: Check this box for offenders who have been approved for wheelchair use by the Clinical Director of Assistive Disability Services; or indicate number of days wheelchair pass is issued to offenders who are temporarily wheelchair dependent (i.e. post-operative conditions)
3. Utility Use: Check this box for offenders who the provider feels are appropriate for minimal wheelchair use on the unit only. (i.e. offenders who experience weakness or are unable to walk long distances) due to a temporary condition. The provider should indicate the number of days for which the wheelchair pass is issued.

III. Work Assignment/Restrictions

A. These categories are intended to reflect restrictions of six days or longer.

B. Indicate all of the following work restrictions that apply:

1. **Medically Unassigned** - This means the offender should not be given a regular work assignment due to a medical condition. (Offender may attend school or pre-release programs if approved by HSL.)
2. **Psychiatrically Unassigned** - This means the offender should not be given a regular work assignment due to mental illness. (Offender may attend school or programs).
3. **Sedentary Work Only** - Assign to work that is limited to a seating position and that does not require strenuous activity.
4. **Four Hour Work Restriction** - May be assigned to any job commensurate with HSM-18 work restrictions for four hours only.
5. **Excuse From School/Programming** - May not attend regular schooling due to medical or mental health conditions
6. **Limited Standing** – Assign to work where offender may elevate lower extremities for 10 minutes each hour. If this is too restrictive, consider "Sedentary Work Only".
7. **No Walking > ____ yards** – Indicate general distances (50, 100, 1000, etc.) which an offender should not exceed on the job due to physical limitations. This number should not be less than the distance required to sustain activities of daily living (distance to chow hall, shower, medical department.)
8. **No Lifting > ____ lbs.** – Indicate the number of pounds the offender can safely lift in light of an existing impairment.
9. **No Repetitive Bending at Waist** - Assign to work not requiring repetitive or frequent bending at waist. This applies to individuals with severe obesity, back problems, vertigo, etc
10. **No Repetitive Squatting** - Assign to work not requiring repetitive or frequent bending of the knees. This applies to individuals with moderate to severe lower extremity arthritis, internal derangements of the knee, etc.

A-08.4 Attachment A

Effective: 2-15-2011

Reviewed: 02/11

12. **No Climbing** - Assign to work not requiring the use of ladders and/or scaffolding. This applies to individuals with unstable cardiovascular or pulmonary disease, severe joint problems, seizure disorders, etc. If lower row housing is medically necessary as indicated under II.C. #2 Ground Floor Only, then work assignment should also exclude jobs requiring the use of stairs, step stools, and/or steep inclines.
13. **Limited Sitting** - Assign to work where prolonged sitting is not required or where standing for at least 10 minutes every hour is allowed. This applies to individuals with severe hemorrhoidal disease, fractured coccyx, etc.
14. **No Reaching Over Shoulders** - This applies to individuals with shoulder functional restrictions.
15. **No Food Service** - This applies to individuals with diseases that could be transmitted via food products. See Infection Control Manual. Consult the office of Preventive Medicine as needed.
16. **No Repetitive Use of Hands** - Restrict from work requiring hand dexterity or grip strength and/or work, which causes or aggravates cumulative trauma syndromes of the hand. This applies to individuals with thumb or multiple finger amputations, carpal tunnel syndrome, severe hand or wrist joint problems, etc.
17. **No Walking on Wet, Uneven Surfaces** - Restrict from work routinely or frequently requiring walking on slippery, sticky, or uneven surfaces.
18. **Do Not Assign to Medical** - This applies to individuals who could be compromised by working around medically contaminated matter.
19. **No Work in Direct Sunlight** - This applies to individuals with conditions significantly aggravated by exposure to direct sunlight for which sunscreen and/or other protective clothing or equipment is inadequate. Also included are individuals on medications that predispose to serious sunlight reactions.
20. **No Temperature Extremes** - This applies to individuals with a history of heat stroke, Reynaud's Phenomenon, medication sensitivities, etc.
21. **No Humidity Extremes** - Restrict from work requiring exposure to very dry or very moist air. This applies to individuals with moderate to severe asthma. See Infection Control Manual.
22. **No Exposure to Environmental Pollutants** - Restrict from work in areas of high concentrations of pollen or dust. This applies to individuals with severe allergic rhinitis with recurrent sinusitis or conjunctivitis and/or moderate to severe reactive airway disease. This restriction is to be individualized and is not intended for all asthmatics or individuals with allergic rhinitis. See Infection Control Manual.
23. **No Work With Chemicals or Irritants** - Restrict from work exposure to identified irritants such as poison ivy, detergents and irritating fumes, smoke or chemicals. (Water is considered an irritant if prolonged exposure produces extreme skin reaction or disease.)
24. **No Work Requiring Safety Boots.**
25. **No Work Around Machines With Moving Parts** - This applies to individuals with seizure disorder or any condition (disease or pharmaceutically induced), which could impair alertness.
26. **No Work Exposure to Loud Noises** - This applies to individuals who require strict hearing conservation measures, individuals with severe anxiety disorders, etc.

IV. Disciplinary Process:

- A. **No restrictions** - This means that no special consideration needs to be made for health reasons prior to a disciplinary action being taken.
- B. **Consult representative of mental health department before taking disciplinary action** - This category should be checked for diagnosed psychiatric patients, mentally retarded offenders and for

A-08.4 Attachment A

Effective: 2-15-2011

Reviewed: 02/11

individuals with certain psychological problems such as suicidal offenders at the discretion of the mental health team.

- C. Consult representative of the medical department before taking disciplinary action. Certain medical conditions (e.g. patients on dialysis, mobility impairments) may require special consideration prior to disciplinary actions. In these cases, the physician must note this in the health record.

V. Individualized Treatment Plan - This is the classification committee process which identifies areas of treatment, schooling, vocational training and job plan best suited to the individual rehabilitative effort. This treatment plan can be greatly impacted for offenders with significant physical or mental limitations (e.g., mobility, endurance, environmental or cognitive impairments).

- A. No Restriction - having no medical or mental health conditions requiring planning input.
- B. Medical Representative Required - due to significant medical restrictions, input is required.
- C. Mental Health Representative Required - due to significant mental illness, input is required.

VI. Routine Transportation Restrictions

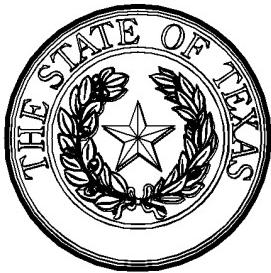
- A. No Restriction - In terms of physical limitations, the offender may be transported routinely.
- B. EMS Ambulance - This applies to offenders with chronic medical/physical conditions that require skilled medical attendants during routine transport. This does not apply to all infirmary patients.
- C. Wheelchair Van - This applies to offenders who are wheelchair confined and can sit up unattended during routine transfers.
- D. Multi-Patient Vehicle (MPV) - The offender is not medically appropriate for chain bus, ambulance, unit van or wheelchair van. (MPV transportation is scheduled by UTMB clerical staff contacting UTMB Patient Evacuation Command Center.)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA §
McCOLLUM, individually, and STEPHANIE §
KINGREY, individually and as independent §
administrator of the Estate of LARRY GENE §
McCOLLUM, §
PLAINTIFFS §
§
v. § CIVIL ACTION NO.
§ 4:14-cv-3253
§ JURY DEMAND
BRAD LIVINGSTON, JEFF PRINGLE, §
RICHARD CLARK, KAREN TATE, §
SANDREA SANDERS, ROBERT EASON, the §
UNIVERSITY OF TEXAS MEDICAL §
BRANCH and the TEXAS DEPARTMENT OF §
CRIMINAL JUSTICE. §
DEFENDANTS §

Plaintiffs' Consolidated Summary Judgment Response Appendix

EXHIBIT 106



TEXAS DEPARTMENT
OF
CRIMINAL JUSTICE

NUMBER: AD-06.17 (rev. 4)

DATE: January 30, 2007

PAGE: 1 of 3

SUPERSEDES: AD-06.17 (rev. 3)
June 13, 2003

ADMINISTRATIVE DIRECTIVE

SUBJECT: HEALTH SUMMARY FOR CLASSIFICATION

AUTHORITY: Sections 493.006 and 494.002, Texas Government Code

Reference: American Correctional Association (ACA) Standards 4-4362, 4-4363 and 4-4365

APPLICABILITY: Correctional Institutions Division (CID) and the Health Services Division

POLICY:

The Texas Department of Criminal Justice shall establish guidelines for the timely completion, review, update and dissemination of information contained in an offender's HSM-18, "Health Summary for Classification." The Unit Classification Committee (UCC) shall use this information for housing, work assignment, and disciplinary measures.

PROCEDURES:

An HSM-18, "Health Summary for Classification" computer screen shall be completed, reviewed, or updated by the physician or physician extender when an offender arrives (during intake process), newly assigned to a unit, and/or an offender returns from an offsite specialty clinic, infirmary, or hospital. In addition, revisions are required whenever there is significant change in the offender's medical or mental health status. This includes those conditions, which would require changes in the offender's housing, unit of assignment, disciplinary restrictions and/or individual treatment plans (ITP).

- I. Intake Facility – This is any facility that intakes offenders from an outside entity excluding those previously processed offenders returning from off-site medical treatment. This includes transfer units, CID units, and privately-operated correctional facilities.

Following the health appraisal, an HSM-18, "Health Summary for Classification" shall be completed on all new arrivals in accordance with Health Services policy and procedures. The offender's PULHES and Medical Alert codes shall be formulated at this time.

II. Routine Transfers

A. Sending Units

1. Upon receipt of the outgoing chain list, designated Health Services staff shall review the medical records of all offenders on the list.
2. When an HSM-18, "Health Summary for Classification" has been completed and the offender's health status has not changed, the HSM-18 does not need to be updated; however, the HSM-18 shall be reviewed to ensure that the proposed unit assignment is commensurate with the present assignment in terms of meeting any of the offender's special needs.
3. If for any reason an HSM-18, "Health Summary for Classification" has not been completed, designated staff shall complete one (1) for the offender, as per Health Services policy. (Offenders may have been transferred in an expeditious manner for medical emergencies, security issues, or Classification and Records Office needs.)
 - a. A printout of the screen shall be placed in the medical record and forwarded to the receiving unit. The revised HSM-18, "Health Summary for Classification" shall be available on the TDCJ mainframe computer.
 - b. The reviewing medical staff shall place a hold on the transfer of any offender if the proposed unit of assignment cannot meet the offender's need. The medical department staff shall notify the shift supervisor of the offender's specific need, who in turn, notifies the State Classification Committee (SCC). If the review occurs after 5:00 p.m. or on weekends or holidays, an e-mail shall also be initiated by the medical department, to the Health Services Liaison, to ensure that an appropriate unit of assignment shall be obtained.

B. Receiving Unit

Designated staff at the receiving unit shall obtain the medical records for the incoming chain. The records shall be reviewed by nursing staff to ensure that any prescribed treatment continues uninterrupted.

III. Changes in Offender's Health Status

When an offender's health status improves or declines to the degree that the treating practitioner determines the offender could be managed more appropriately at another unit, the following must occur:

- A. The offender's PULHES, Medical Alert Codes, and HSM-18, "Health Summary for Classification" shall be reviewed and updated to reflect any changes in the offender's status.
- B. A "Health Services Outpatient Transfer" form shall be completed by the appropriate health care provider and forwarded by electronic form (e-form) to the Health Services Liaison. The request shall be reviewed, and if appropriate, the transfer shall be coordinated with the SCC.
- C. If the requesting health care provider is not satisfied with the decision of the Health Services Liaison, the decision may be forwarded to the Health Services Director of Clinical Services, who shall be the final authority regarding decisions to transfer offenders for medical reasons.

Ed Owens *
Deputy Executive Director

* Signature on File

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EXHIBIT 107



TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Extreme Heat Precautions

OPERATIONAL PROCEDURE/HUTCHINS UNIT

April 15, 2012

SUBJECT: EXTREME HEAT PRECAUTIONS

AUTHORITY: Administrative Directive 10.64, Health Services Policy B-15.5, ACA Standard #4318

PURPOSE: To establish procedures to be followed by the staff of the Hutchins Unit during extreme heat situations

INTRODUCTION: In an effort to reduce heat related injuries and illnesses the Hutchins Unit will follow the aforementioned procedures for the staff and offenders assigned to the Hutchins Unit. This Standard Operating Procedure will be in addition to and in accordance with A.D. 10.64 "Temperature Extremes in the Workplace" and Health Services policy B-15.5 "Heat Stress".

PROCEDURES:

I. Hutchins Unit Staff

1. All Staff members newly assigned to the Hutchins Unit will receive annual training for Heat Related illnesses as required by TDCJ.
2. The Unit Risk Management Coordinator will issue each employee who is newly assigned to the Hutchins Unit a "Recognition of Heat Illness card". The card will be carried on the employee's person while they are on duty. Staff members will read the card and familiarize themselves with the signs of Heat Exhaustion, Heat Collapse, and Heat Stroke.
3. Staff members assigned to outside duty positions (i.e. gates, outside recreation yards, utility officers, escort officers) will be rotated out of the heat at least every two (2) hours and allowed to work an inside position.
 - A. The time limits may be changed by the Unit Risk Management Coordinator or a security supervisor as deemed appropriate. Staff should monitor each other for signs of heat distress.
 - B. Staff are encouraged to wear agency approved hats for coverage when outside in the summer months.
4. Cool drinking water will be provided at regular intervals to the staff assigned to outside positions that cannot leave their immediate area.
 - A. All water coolers will be picked up, cleaned and inspected with a fresh supply of water and ice daily. Staff members will immediately contact their supervisor if the exchange is not conducted.
 - B. Officers will have a fresh supply of ice once each shift to place cold drinks only in. No food items of any kind will be placed in the coolers. Staff members will immediately contact their supervisor if the exchange is not conducted.
5. Frequent water breaks will be provided to staff members working Field Squads, Yard Squads, Community Service Squads and Maintenance Squads.
 - A. Staff members will immediately contact their supervisor if they experience symptoms of Heat related illness/injury or if they witness another staff member with these symptoms.
 - B. Upon notification by a staff member, supervisors are to take action as per A.D. 10-64 and B -15.5 in resolving heat related issues.

Hutchins State Jail 1500 E. Langdon Rd. Dallas, Texas 75241 (972)225-1304

II. Hutchins Unit Offenders

1. Offenders working outside in extreme heat will be provided frequent water breaks.

A. Offenders will be allowed to take breaks in shaded areas when possible.

B. Offenders with work restrictions of 20 (no temperature extremes) and 21 (no humidity extremes) shall be removed from rosters where these conditions exist.

2. Offenders will be allowed to wear commissary purchased gym shorts and commissary purchased T-shirts in the housing areas and on the recreation yards.

3. Offenders will have free and frequent access to the dorm showers while the dayrooms are open, dorm lights will remain on during daylight hours, unless there is an incident or emergency situation.

4. Air handlers are in operation to ensure good circulation of fresh air in the housing areas.

5. At the Warden's Discretion, the purge fans may be turned on to allow for more fresh air circulation.

Note: To turn purge fans on or off access the electrical room for the desired building and turning the switches on the desired purge fan to the manual position. Turn to the off position to turn off.

6. Offenders will be provided cool drinking water during meal times.

A. Additional cool drinking water may be delivered to the housing areas during the day. The coolers will be placed inside the living areas and also will be picked up and cleaned with an inspection done by the officer on duty and the food service department. All coolers will be picked up and filled with a fresh supply of water on second shift daily.

B. Water fountains are in place on the recreation yards for cool water during outside recreation periods.

III. Unit Transport Procedures during extreme heat

1. Certain types of offenders transported off the unit will depart during the cooler parts of the day when possible. These include but are not limited to:

A. Offenders taking psychotropic medications

B. Offenders with health issues deemed by the Unit Medical Department to be too severe to travel with in extreme heat situations.

IV. Back gate Procedures

1. The Building Major shall be responsible for monitoring all Back gate waiting times for vehicles entering and exiting the unit.

2. Vehicles entering the unit will be immediately sent to their destination to be unloaded.

3. When a vehicle is not unloaded within fifteen (15) minutes a fan will be placed in the front entrance and if possible the rear of the vehicle to allow for fresh air circulation.

4. Towels will be made available to wet down for additional cooling.

V. Heat Advisories

1. Updates on extreme temperatures and heat conditions such as heat exhaustion, heat collapse, or heat stroke will be announced via radio on an hourly schedule.

Senior Warden

Hutchins State Jail 1500 E. Langdon Rd. Dallas, Texas 75241